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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 NATIONSTAR MORTGAGE, LLC, a Delaware
16 Company,

17 Case No.: 2:15-cv-01665-JAD-PAL

18 Plaintiff,

19 **STIPULATION AND ORDER TO LIFT
20 STAY**

21 vs.
22 GARY THOMPSON, an Individual,
23 Defendant.

24 ECF No. 34

25 Plaintiff Nationstar Mortgage LLC (**Nationstar**), and defendant Gary Thompson (**Mr.**
26 **Thompson**) submit the following stipulation to lift the stay imposed by the court on August 17,
27 2016 [ECF No. 24].

28 On August 17, 2016, this Court entered an order staying this case pending resolution of
Bourne Valley Court Trust v. Wells Fargo Bank, N.A., 832 F.3d 1154 (9th Cir. 2016) [ECF No. 24].
The court also certified a question to the Nevada Supreme Court in *SFR Investments Pool 1, LLC v.*
The Bank of New York Mellon, 134 Nev. Ad. Op. 58 (2018). The certified question sought
clarification of whether NRS 116 *et seq.*, the statutes at issue in this case, incorporated the notice
provisions of NRS 107 *et seq.*, prior to the 2015 legislative amendments. The Nevada Supreme
Court answered the certified question on August 2, 2018. *See id.*

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1 On March 25, 2019, this Court entered an order directing Nationstar to move to lift the stay
2 on or before April 26, 2019 [ECF No. 32]. The parties agree that the basis upon which this matter
3 was stayed has been satisfied and seek an order lifting the stay of this case.

4 Once the Court lifts the stay, the parties will file their proposed discovery plan and
5 scheduling order within twenty-one (21) days after the entry of the order lifting the stay.

6 The parties agree the stay may be lifted, if it so pleases the Court.

7 DATED April 24, 2019.

AKERMAN LLP <hr/> <i>/s/ Jared M. Sechrist</i> MELANIE D. MORGAN, ESQ. Nevada Bar No. 8215 JARED M. SECHRIST, ESQ. Nevada Bar No. 10439 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134 <i>Attorneys for Nationstar Mortgage LLC</i>	LAW OFFICES OF P. STERLING KERR <hr/> <i>/s/ Taylor Simpson</i> STERLING KERR, ESQ. Nevada Bar No. 3978 TAYLOR SIMPSON, ESQ. Nevada Bar No. 13956 2450 St. Rose Parkway, Suite 120 Henderson, Nevada 89074 <i>Attorney for Gary Thompson</i>
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16 **ORDER**

17 Based on the parties' stipulation [ECF No. 34] and good cause appearing, IT IS HEREBY
18 ORDERED that THE STAY IS LIFTED.

19 IT IS FURTHER ORDERED THAT **the parties have until May 31, 2019, to meet and**
20 **confer** as defined by Local Rule IA 1-3(f) regarding (1) a proposed discovery plan and scheduling
order as contemplated by Local Rule 26-1, (2) what discovery still needs to be conducted, (3) what
viable claims and defenses remain in the case in light of recent decisions from the Supreme Court of
Nevada, and (4) the issues that the parties intend to raise in any dispositive motion that the parties
anticipate filing within the next 90 days. **A party representative for each party must attend the**
conference, either in person or by telephone. Requests to be excused from any aspect of this
meet-and-confer requirement will be denied absent extraordinary circumstances.

24 IT IS FURTHER ORDERED THAT the parties must file their Proposed Amended Stipulated
25 Discovery Plan and Scheduling Order in compliance with Local Rule 26-1 by **June 14, 2019.**

26 IT IS FURTHER ORDERED THAT any dispositive motion filed in this case must be
27 accompanied by a declaration by the movant's counsel that sets forth the details of the meet-and-
confer in compliance with Local Rule IA 1-3(f)(2) and certifies that, despite good-faith efforts, the
issues raised in the motion could not be resolved. The court may summarily deny any motion that
fails to comply with this requirement.